

A bill for an act

relating to animals; providing for registration and standards of care for dog and cat breeders; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 347.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **CITATION.**

Minnesota Statutes, sections 347.57 to 347.62, may be cited as the "Dog and Cat Breeders Act."

Sec. 2. **[347.57] DEFINITIONS.**

Subdivision 1. **Terms.** The definitions in this section apply to sections 347.57 to 347.62.

Subd. 2. **Animal.** "Animal" means a dog or a cat.

Subd. 3. **Board.** "Board" means the Minnesota Board of Animal Health.

Subd. 4. **Breeder.** "Breeder" means a person, other than a hobby breeder, who possesses animals and is engaged in the business of breeding animals for direct or indirect sale or for exchange in return for consideration, and who possesses 20 or more adult intact female animals for the purpose of breeding.

Subd. 5. **Broker.** "Broker" means a person, firm, partnership, corporation, or association that purchases animals for resale to other brokers or pet dealers.

Subd. 6. **Cat.** "Cat" means a mammal that is wholly or in part of the species *Felis domesticus*.

Subd. 7. **Dog.** "Dog" means a mammal that is wholly or in part of the species *Canis familiaris*.

Subd. 8. **Hobby breeder.** "Hobby breeder" means a person who possesses animals and is engaged in the business of breeding animals for direct sale or for exchange in return for consideration, and who possesses fewer than ten adult intact female animals for the purpose of breeding.

Subd. 9. **Local animal control authority.** "Local animal control authority" means an agency of the state, county, municipality, or other political subdivision of the state that is responsible for animal control operations or feedlots in its jurisdiction.

Subd. 10. **Person.** "Person" means a natural person, firm, partnership, corporation, or association, however organized.

Subd. 11. **Possess.** "Possess" means to have custody of or have control over.

Sec. 3. **[347.58] REGISTRATION.**

(a) By March 1, 2010, and every four years thereafter, a breeder must notify in writing the local animal control authority using a registration form prepared by the Minnesota Animal Control Association and approved by the Board of Animal Health. The notification must include the person's name, address, telephone number, and a complete inventory of each breeding animal that the person possesses. The local animal control authority shall provide the breeder with a copy of the standards of care required under section 347.59.

(b) A local animal control authority may charge a reasonable fee for registration of breeders. If the local animal control authority performs inspections, the registration fee may include an amount to cover the cost of inspection.

Sec. 4. **[347.59] STANDARDS OF CARE.**

(a) A breeder may choose to comply with the standards for the humane handling, care, treatment, and transportation of the United States Department of Agriculture, as provided in the Code of Federal Regulations, title 9, part 3, sections 3.1 to 3.19, or comply with the best care standards for dogs and cats issued by the commissioner of agriculture under section 346.58.

(b) A breeder shall comply with all applicable state and federal laws governing the treatment of animals.

Sec. 5. **[347.60] INVESTIGATIONS; CORRECTION OF VIOLATIONS.**

(a) The board, a local animal control authority, a peace officer, or a feedlot inspector may initiate an investigation upon receiving a formal complaint alleging violation of section 347.59.

3.1 (b) To the extent practicable, within 30 days after notification, a breeder must correct
3.2 any violations of section 347.59 found during the investigation. The local animal control
3.3 authority may allow additional time to correct violations based on weather, construction
3.4 schedules, financial considerations, or other reasons.

3.5 **Sec. 6. [347.61] SEIZURE, NOTICE, BONDING.**

3.6 The board, a local animal control authority, or a peace officer may seize an animal
3.7 for a violation of section 347.59 that was not corrected during the 30-day period under
3.8 section 347.60, paragraph (b), if the violation threatens the health and welfare of the
3.9 animal. The board, local animal control authority, or peace officer that seizes an animal
3.10 shall follow the procedures in section 343.235 concerning the disposition of the animal
3.11 seized. Seizure is limited to affected animals.

3.12 **Sec. 7. [347.62] PENALTIES.**

3.13 A person who violates section 347.58 or 347.59 is guilty of a misdemeanor.

3.14 **Sec. 8. EFFECTIVE DATE.**

3.15 Sections 1 to 7 are effective January 1, 2010.